


This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

STATE OF ILLINOIS, CIRCUIT COURT Will  COUNTY		SUMMONS	For Court Use Only
Instructions ▼ Enter above the county name where the case was filed. Enter your name as Plaintiff/Petitioner. Enter the names of all people you are suing as Defendants/Respondents. Enter the Case Number given by the Circuit Clerk.	Patricia Regula Indiv & as Spec Adm Est of Michael Regula <u>Plaintiff / Petitioner (First, middle, last name)</u> v. Wayne Wilgus, Power 3PL, Inc. & Custom Assembly, Inc. <u>Defendant / Respondent (First, middle, last name)</u>		2021 L 000575 <u>Case Number</u>

In 1, if your lawsuit is for money, enter the amount of money you seek from the Defendant/Respondent.	1. Information about the lawsuit: Amount claimed: <u>\$ 50,000.00</u>
In 2, enter your contact information. If more than 1 person is bringing this lawsuit, attach an <i>Additional Plaintiff/Petitioner Contact Information</i> form.	2. Contact information for the Plaintiff/Petitioner: Name (First, Middle, Last): <u>Patricia Regula</u> Street Address, Apt #: <u>6038 S. Talman</u> City, State, ZIP: <u>Chicago, IL 60629</u> Telephone: _____ See attached for additional Plaintiff/Petitioner contact information
In 3, enter the name of the person you are suing and their address. If more than 1 person is being sued, attach an <i>Additional Defendant/Respondent Contact Information</i> form.	3. Contact information for the Defendant/Respondent: Name (First, Middle, Last): <u>Power 3PL, Inc. c/o Michael Keysor</u> Street Address, Apt #: <u>2952 CR 107</u> City, State, ZIP: <u>Haviland, OH 45851</u> Telephone: _____ See attached for additional Defendant/Respondent contact information

You have been sued. Follow the instructions on this page on how to appear in court. If you do not appear, answer the court may decide the case without hearing from you and enter a judgment against you for what the plaintiff/petitioner is asking. Your written appearance answer must be filed on time and in the proper form. Forms for a written appearance answer are available at the court clerk's office or at <http://www.illinoiscourts.gov/forms> approved by the court. If you cannot afford to pay fees for filing your appearance answer, ask the clerk for an application for a fee waiver. You should read all of the documents attached.

9/23/21
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Enter the Case Number given by the Circuit Clerk: 2021 L 000575

In 4, the Circuit Clerk will give you the court date or appearance date, check any boxes that apply, and include the address of the court building and room where the Defendant/Respondent must file their response.

4. Instructions for person receiving this form (Defendant/Respondent):To respond to this *Summons* you must:☐ Go to court via Zoom:On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Zoom Meeting ID: _____ Zoom Password: _____

☐ File a written *Appearance* and *Answer/Response* with the court:On or before this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

☒ File a written *Appearance* and *Answer/Response* with the court within 30 days from the day you receive this *Summons* (listed below as the "Date of Service").On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.Address: Will County Court House, 100 W. Jefferson StreetCity, State, ZIP: Joliet, IL 60432**STOP!**

The Circuit Clerk will fill in this section.

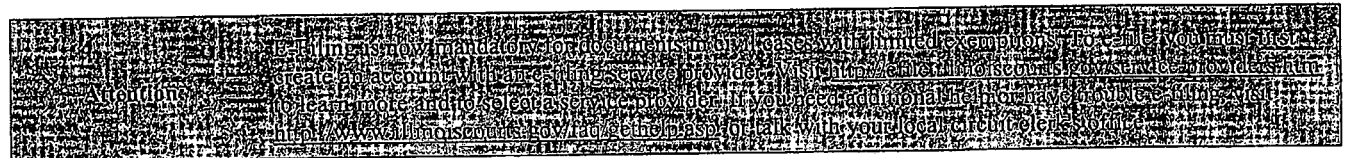
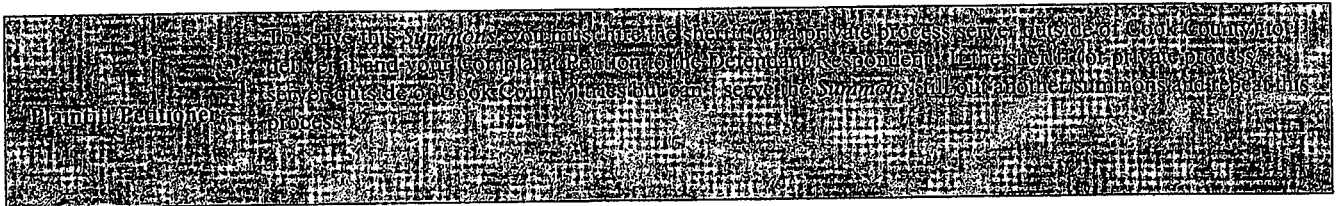
Witness this Date: 8/3/2021Clerk of the Court: Andrea Lynn Chastain**STOP!**

The officer or process server will fill in the Date of Service.


This *Summons* must be served within 30 days of its date, listed above.

Date of Service: _____

(Date to be entered by an officer or process server on the copy of this *Summons* left with the Defendant/Respondent or other person.)



This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

STATE OF ILLINOIS, CIRCUIT COURT Will  COUNTY		AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT/PETITION	<i>For Court Use Only</i>
Instructions Enter above the county name where the case was filed. Enter your name as Plaintiff/Petitioner. Enter the name of the person you are suing as Defendant/Respondent. Enter the Case Number given by the Circuit Clerk.	Patricia Regula Indiv & as Spec Adm Est of Michael Regula Plaintiff / Petitioner (First, middle, last name) v. Wayne Wilgus, Power 3PL, Inc. & Custom Assembly, Inc. Defendant / Respondent (First, middle, last name)		2021 L 000575 Case Number

****Stop. Do not complete the form. The sheriff will fill in the form.****

DO NOT complete this section. The sheriff will complete it.

My name is _____ and I swear under oath
First, Middle, Last
 that I served the **Summons** and Complaint/Petition on the Defendant/Respondent

_____ as follows:
First, Middle, Last

- ☐ Personally on the Defendant/Respondent:
 Male: ☐ Female: ☐ Approx. Age: _____ Hair Color: _____
 Height: _____ Weight: _____
 On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.
 Address: _____
 City, State, ZIP: _____
- ☐ At the Defendant/Respondent's home:
 On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.
 Address: _____
 City, State, ZIP: _____
 And left it with: _____
First, Middle, Last
 Male: ☐ Female: ☐ Approx. Age: _____
 and by sending a copy to this defendant in a postage-paid, sealed envelope to the
 above address on _____, 20 ____.
- ☐ On the Corporation's agent, _____
First, Middle, Last
 On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.
 Address: _____
 City, State, ZIP: _____

Enter the Case Number given by the Circuit Clerk: _____

DO NOT complete
this section. The
sheriff, or private
process server will
complete it.

By:

Signature

Print Name

FEES

By certified/registered \$ _____

Service and Return \$ _____

Miles: \$ _____

Total \$ _____

Andrea Lynn Chasteen
 Will County Circuit Clerk
 Twelfth Judicial Circuit Court
 Electronically Filed
 2021L 000575
 Filed Date: 7/27/2021 12:51 PM
 Envelope: 14200898
 Clerk: RLH

**IN THE CIRCUIT COURT OF THE 12th JUDICIAL CIRCUIT
 WILL COUNTY, ILLINOIS**

Patricia Regula, individually and)
 as Special Administrator of the)
 Estate of Michael Regula, Jr., deceased,)
)
 Plaintiff,)

v.)

Wayne A. Wilgus,)
 Power 3PL, Inc.,)
 Custom Assembly, Inc.)

Defendants.)

No. 2021L 000575

JURY TRIAL DEMANDED

COMPLAINT AT LAW

NOW COMES the Plaintiff, Patricia Regula, as Special Administrator of the Estate of Michael Regula, Jr., deceased, by and through her attorneys, Parente & Norem, P.C., and for her Complaint at Law against Defendants, Wayne A. Wilgus, Power 3PL, Inc. and Custom Assembly, Inc., states as follows:

1. On July 29, 2019, and at all times relevant herein Michael Regula, Jr. ("Regula"), was working for APL Logistics in Bolingbrook, Will County, Illinois as a forklift driver.

2. On July 29, 2019, and at all times relevant herein, Wayne A. Wilgus ("Wilgus") was the agent or employee of Power 3PL, Inc. and was operating within the scope of that agency or employment in Will County, Illinois.

3. On July 29, 2019, and at all times relevant herein, Wayne A. Wilgus was the agent or employee of Custom Assembly, Inc. and was operating within the scope of that agency or employment.

CM: 11/15/2021 AT 9:00AM, RM: A201

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4. On July 29, 2019, Regula was using a forklift to load a truck operated by Wilgus at APL Logistics in Bolingbrook, Will County, Illinois.

5. That at all times relevant, Power 3PL, Inc. was a foreign corporation doing business in Will County, Illinois.

6. That at all times relevant, Custom Assembly, Inc., was a foreign corporation doing business in Will County, Illinois.

7. The truck operated by Wilgus was owned and/or controlled by Power 3PL, Inc.

8. The truck operated by Wilgus was owned and/or controlled by Custom Assembly, Inc.

9. That after the truck was loaded, Regula was in the forklift on the dock plate between the dock and the truck operated by Wilgus.

10. That Wilgus knew, or in the exercise of due care should have known, that Regula was in his forklift on the dock plate.

11. That Wilgus moved the truck forward while Regula was still on the dock plate.

12. That it then and there became and was the duty of Custom Assembly, Inc. and Power 3PL, Inc., by and through their duly authorized agents, servants and employees, including but not limited to Wilgus, to exercise due care for the safety of Plaintiff.

13. That notwithstanding the aforesaid duty, Custom Assembly, Inc, Power 3PL, Inc. and Wilgus, all breached their duty to Plaintiff, individually and via the doctrine of *respondeat superior*, in one of more of the following careless and negligent ways:

a) Failed to properly train and instruct Wilgus;

- b) Failed to warn Regula that the truck was about to be moved;
- c) Failed to inspect the area around the truck prior to moving it;
- d) Moved the truck when there was a forklift still on the dock plate;
- e) Failed to keep a proper lookout;
- f) Failed to sound his horn prior to moving forward; and,
- g) Otherwise carelessly and negligently operated the truck in an unsafe manner.

14. As a direct and proximate result of one or more of the foregoing negligent acts and/or omissions, the truck operated by Wilgus pulled forward while Regula was still in a position of danger.

15. That as a result of Wilgus moving his truck forward, Regula fell out of his forklift.

16. That Regula died on or about May 15, 2021. His wife, Patricia Regula, brings this action individually and as Special Administrator of his Estate, for her benefit and for the benefit of his estate and next of kin, for the damages to which Regula would have been entitled but for his death.

17. That as a direct and proximate result of the negligence of the Defendants, from the time of the accident until the time of his death, Regula incurred and endured medical bills, lost wages and benefits, pain, suffering, disability, disfigurement and loss of a normal life.

WHEREFORE the Plaintiff, Patricia Regular, as Special Administrator of the Estate of Michael Regula, deceased, by and through her attorneys, Parente & Norem, P.C., pray for judgment against Custom Assembly, Inc., Power 3PL, Inc., and Wayne A. Wilgus, in excess of the jurisdictional limits of this Court, plus costs, attorneys' fees and interest, together with all other relief this Court deems just and proper.

*****Plaintiffs demand trial by jury*****

Respectfully Submitted,

PARENTE & NOREM, P.C.

By: /s/Dennis M. Lynch
Dennis M. Lynch

Dennis M. Lynch
Parente & Norem, P.C.
Attorneys for Plaintiffs
221 N. LaSalle Street, Suite 2700
Chicago, IL 60601
312-641-5926
IL ARDC # 6293267
DL@pninjurylaw.com

**IN THE CIRCUIT COURT OF THE 12th JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS**

Michael Regula,)		
)		
Plaintiff,)		
v.)		
)	No.	
Wayne A. Wilgus,)		
Power 3PL, Inc.,)		
Custom Assembly, Inc.)		
)	JURY TRIAL DEMANDED	
Defendants.)		

SUPREME COURT RULE 222(B) AFFIDAVIT

The undersigned upon being first duly sworn upon oath, deposes and states that Plaintiff seeks monetary damages in this cause of action that exceed \$50,000.00.

PARENTE & NOREM, P.C.

By /s/ Dennis M. Lynch
Dennis M. Lynch

Dennis M. Lynch
Parente & Norem, P.C.
Attorneys for Plaintiffs
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